



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-91,542-01

EX PARTE CHRISTOPHER STEVENSON, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 17-04-16008A IN THE 506TH DISTRICT COURT
FROM WALLER COUNTY**

Per curiam. YEARY, J., concurred.

OPINION

Applicant was convicted of burglary of a building and sentenced to two years' imprisonment. Applicant filed this application for a writ of habeas corpus in the county of conviction, and the district clerk forwarded it to this Court. *See* TEX. CODE CRIM. PROC. art. 11.07.

Applicant contends, among other things, that he is actually innocent. Based on the record, the trial court has determined that Applicant has established by clear and convincing evidence that he is actually innocent.

We agree. Relief is granted. *Ex parte Elizondo*, 947 S.W.2d 202 (Tex. Crim. App. 1996); *Ex parte Tuley*, 109 S.W.3d 388 (Tex. Crim. App. 2002). The judgment in cause number 17-04-16008 in the 506th District Court of Waller County is set aside, and Applicant is remanded to the

custody of the Sheriff of Waller County to answer the charges as set out in the indictment. The trial court shall issue any necessary bench warrant within ten days from the date of this Court's mandate.

Copies of this opinion shall be sent to the Texas Department of Criminal Justice—Correctional Institutions Division and the Board of Pardons and Paroles.

Delivered: February 10, 2021
Do not publish